



Serial No.: 09/606,495  
Docket No.: 505483.003

DAC-18 #9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Richard K Ryan, et al. ) Examiner: Not yet assigned  
Serial No.: 09/606,495 ) Art Unit: 2761  
Filing Date: June 29, 2000 )  
Title: METHOD FOR MANAGING )  
A FINANCIAL SECURITY )

**PETITION FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.47(a)**

Office of Petitions  
Box DAC  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

It is respectfully petitioned that the above-identified patent application be amended to add Kris Alan Robbins as a joint inventor. The application for patent was made through error and without any deceptive intention, in the names of the following co-inventors: Richard K Ryan, Brandt Thomas Brock, Gregory J. Garvin, Stéphane Goyer, Brenda Marie Harwood, Amy Jo Lee, Mary Elaine Nestor and Karen S. Plush, as will be more apparent from the appendices attached hereto and the discussions herein.

In support of this petition the applicant submits the following:

1. A Verified Statement of Facts by Unnamed Inventor, Kris Alan Robbins  
(attached hereto as Appendix A).

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Office of Petitions, Box DAC, Commissioner for Patents, Washington, D.C. 20231 on:

Date: April 9, 2001  
Signature: Beth Fowler

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

2. A Declaration Under 37 C.F.R. § 1.63 executed by Gregory J. Garvin, Stéphane Goyer, Brenda Marie Harwood, Amy Joe Lee, Mary Elaine Nestor, Karen S. Plush and Kris Alan Robbins (the "Signing Inventors") (attached hereto as Appendix B).

3. A copy of the Decision According Status Under 37 C.F.R. § 1.47(a) to the above-identified application in light of the petitioner showing that the non-signing inventors have refused to join in the filing of the above-identified application (attached hereto as Appendix C).

4. The consent of the assignee of the above-identified U.S. patent application, Security Benefit Life Insurance Company of Topeka, Kansas (attached hereto as Appendix D).

5. The fee required by 37 C.F.R. § 1.17(i).

In his Verified Statement of Facts (Appendix A), Kris Alan Robbins ("Robbins") declares that he is a co-inventor of the above reference patent application. Robbins further declares that he discussed his idea for an unbundled variable annuity product with Rick Ryan ("Ryan"). In addition, Robbins states that he did not work with any members of the invention team except for Ryan during the development of the product. Ryan left Security Benefit in May of 2000, apparently without discussing Robbins' project involvement with the rest of the product development team. After Ryan left, the remaining co-inventors did not know that Robbins had been involved with the development of the product or that he should have been named as a co-inventor.

After the patent application had been filed, general counsel for Security Benefit met with Robbins to discuss the refusal of Ryan and Mr. Brandt Brock ("Brock") to join the application as co-inventors. At that time Robbins learned that he had been inadvertently omitted

as a co-inventor. Thus, the inventorship error occurred without any deceptive intent on Robbins' part.

In light of Robbins' Verified Statement of Facts, as well as the Declaration Under § 1.47(a), Applicant respectfully requests that the above-identified patent application be amended to show the correct inventorship. Such action is respectfully requested.

Respectfully submitted,

By: 

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|              |                        |   |                            |
|--------------|------------------------|---|----------------------------|
| Inventors:   | Richard K Ryan, et al. | ) |                            |
|              |                        | ) |                            |
| Serial No.:  | 09/606,495             | ) | Examiner: Not yet assigned |
|              |                        | ) |                            |
| Filing Date: | June 29, 2000          | ) | Art Unit: 2761             |
|              |                        | ) |                            |
| Title:       | METHOD FOR MANAGING A  | ) |                            |
|              | FINANCIAL SECURITY     | ) |                            |

**VERIFIED STATEMENT OF FACTS BY UNNAMED INVENTOR**

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Washington, D.C. 20231

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Dear Sir:

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Kris Alan Robbins declares that:

The invention described and claimed in the above referenced patent application was developed while I was employed by Security Benefit Life Insurance Company ("Security Benefit") as President and COO. I joined Security Benefit in the summer of 1997.

As President of Security Benefit, I appointed Mr. Rick Ryan ("Ryan"), one of the co-inventors of the invention, as head of product development in the fall of 1997. Prior to appointing Ryan to this position, I had mentioned to him and others that I had an idea for an unbundled variable annuity product. After I appointed him to head up product development, I suggested that he include my unbundled variable annuity product idea with Security Benefit's list for future development. I described what I desired regarding the nature and product structure of the proposed product to assist Ryan in drawing up product specifications.

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Ryan worked with the other inventors to work through the iterations of the design from early 1999 through the summer of 1999. During the development of the product Ryan would often seek my advice, ideas and suggestions to help solve the administrative complexity associated with the design. Apparently, even though I assisted in the development of the product, Ryan did not discuss my project involvement with the rest of the product development team.


As products are developed, they move from conceptual design to product specifications into implementation plans and ultimately commercialization. The product specifications moved closer to being finalized in the fall of 1999 and so my assistance was no longer needed.

In May of 2000, Ryan left Security Benefit. After Ryan left, no one knew that I had been involved with the development of the product, or that I should have been named as a co-inventor. Thus, when the patent application was filed, I was inadvertently omitted as a co-inventor.

After the application had been filed, general counsel for Security Benefit, met with me to discuss the implications of the refusal of Ryan and Mr. Brandt Brock ("Brock") to join the application as co-inventors. I discussed the inventorship issues with general counsel and realized that I should have been named as co-inventor. Thus, the inventorship error occurred without deceptive intent on my part.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States

Code, and that such willful false statements may jeopardize the validity of the application or an patent issued thereon.

By:   
Kris Alan Robbins

Date: 3/26/01



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United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

Paper No. 8

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**OFFICE OF PETITIONS  
A/C PATENTS**

In re Application of  
Richard K. Ryan et al.  
Application No. 09/606,495  
Filed: June 29, 2000  
For: Method for Managing a Financial  
Security

:  
:  
: DECISION ACCORDING STATUS  
: UNDER 37 CFR 1.47(a)  
:

This is in response to the renewed "Petition Under 37 CFR 1.47(a)," filed December 11, 2000.

The petition is granted.

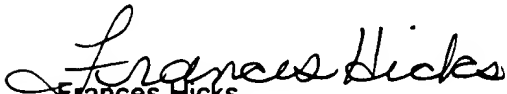
Petitioner has shown that the non-signing inventors have refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventors at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

After the mailing of this decision, the file will be forwarded to Office of Initial Patent Examination for preexamination processing.

Telephone inquiries regarding this decision should be directed to Latrice Bond at (703) 308-6911.

  
Frances Hicks  
Lead Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

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|              | FINANCIAL SECURITY     | ) |                            |

**CONSENT OF ASSIGNEE TO ADD NAMED INVENTOR**

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Dear Sir:

Security Benefit Life Insurance Company, a corporation created and existing under and by virtue of the laws of the State of Kansas, and having a principal place of business at 700 S.W. Harrison, Topeka, Kansas, the assignee of U.S. Patent Application for METHOD OF MANAGING A FINANCIAL SECURITY filed June 29, 2000 and assigned Application No. 09/606,495, hereby consents to the addition of Kris Alan Robbins as a named co-inventor in said patent application.

SECURITY BENEFIT LIFE  
INSURANCE COMPANY

By:   
Roger Viola  
General Counsel for Security Benefit  
Life Insurance Company

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